

REMARKS

In the current, outstanding Office Action of January 26, 2005, the Examiner presents a single rejection of all claims in the application, i.e., claims 1-11 stand rejected under 35 USC 102(e) as being clearly anticipated by US Patent 6,422,465 to Nemoto et al.

In relation to such rejection, together with Amendment-B applicant has previously filed a Declaration under 37 CFR 1.132, Traversing Rejections Under 35 USC 102(e) as Anticipated by Nemoto (US 6,422,546), dated 16 December 2004. Another copy of the Declaration is enclosed herewith. The Declaration is signed by Hirotomi Nemoto, the sole inventor of the present application and one of the inventors of the named in US Patent 6,422,465, and in the Declaration Mr. Nemoto attests that "Any invention disclosed but not claimed in the U.S. Patent (6,422,546) to Nemoto et al. was derived from the inventor of the above-named application, and is thus not an invention 'by another'". Thus, applicant respectfully submits that the rejection based on Nemoto et al. is overcome by the earlier filed Declaration, and it is respectfully requested that the rejection be reconsidered and withdrawn.

In this regard, applicant would like to thank the Examiner for the helpful and courteous telephonic interview she conducted with applicant's undersigned representative on or about 04 February 2005. During such interview, the Examiner indicated that she had not considered the Declaration under 37 CFR 1.132 when she issued the Office Action of January 26, 2005, and she suggested that applicant file a Request for Reconsideration pointing out the existence of the Declaration. Correspondingly, such action is being pursued herein.

Conclusion

For all of the above mentioned reasons, applicant requests reconsideration and

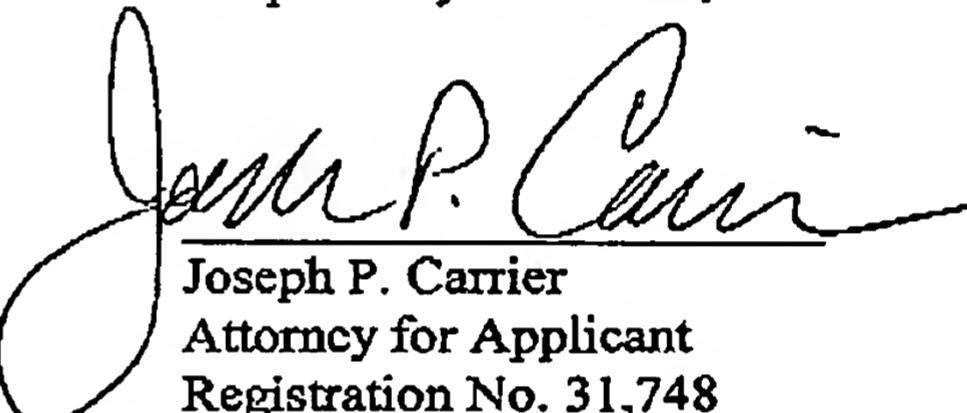
withdrawal of the rejection of record, and allowance of the pending claims.

The application is now believed to be in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner is not fully convinced of the allowability all of the claims now in the application, applicant respectfully requests that the Examiner telephonically contact applicant's undersigned representative to expeditiously resolve prosecution of the application.

Favorable reconsideration is respectfully requested.

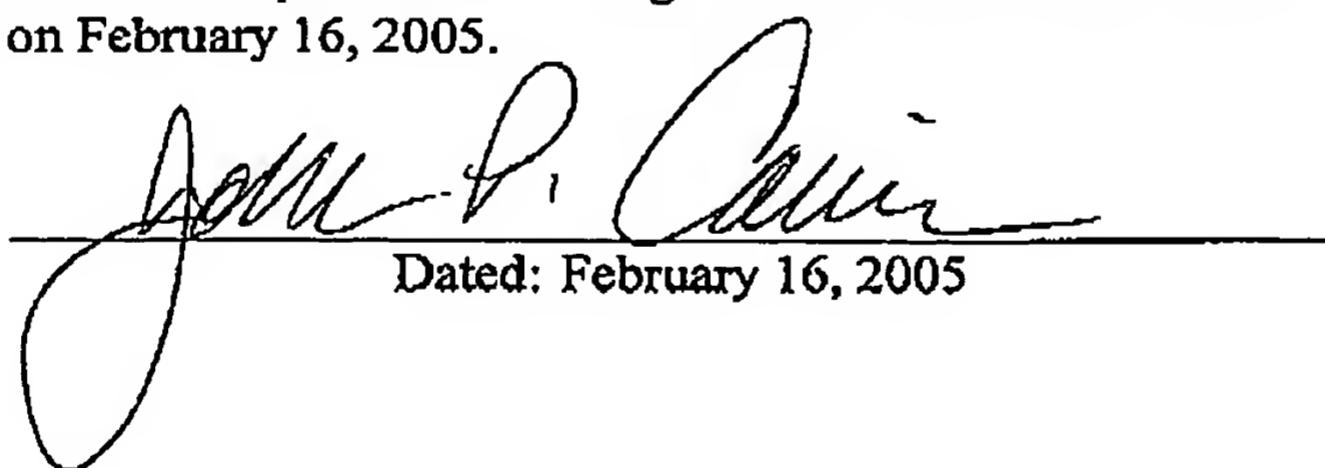
Respectfully submitted,


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Enclosure

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the US Patent & Trademark Office on February 16, 2005.


Dated: February 16, 2005

JPC/ms